

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

No claims are currently being canceled or added.

Claims 1, 2, 11 and 12 are currently being amended.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 11, 12 and 17-24 are now pending in this application.

As an initial matter, the Examiner is requested to indicate approval of the formal drawings submitted along with the previously-filed Reply on August 4, 2003.

In the Office Action, claims 1, 2, 11, 12 and 17-24 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth on page 2 of the Office Action. By way of this reply, claims 1, 2, 11 and 12 have been amended in order to overcome this rejection.

In the Office Action, claims 1, 2, 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,052,442 to Cooper et al. in view of JP-405227274A to Inoue and U.S. Patent No. 4,972,461 to Brown; and claims 17-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper et al., and Inoue and Brown and further in view of U.S. Patent No. 6,304,636. These rejections are traversed for at least the reasons given below.

The Office Action correctly acknowledges that Cooper et al. fails to teach "the digitized voice . . . by the identifier." However, the Office Action incorrectly asserts that Brown et al. teaches this feature on column 5, lines 13-14 and column 16, lines 33-34.

In more detail, Brown discloses a system that allows a caller's voice message to be stored at a call delivery service (CDS), whereby the caller's voice message is then sent to a called party by the CDS at a later time. This is different from the present invention in which a voice message from a caller is stored at a called party's device in accordance with a sender number of a sender's telephone set, to thereby allow the called party to respond to the voice message from the caller in an expeditious manner. In Brown, at best, a middle-man storage unit, also called a CDS, stores the caller's voice message, which is then retrieved and sent to a called party when the caller provides the proper billing information to pay for the sending of the voice message. For example, if a caller is trying to call a called party but keeps getting a busy signal, then the caller can record a voice message, which is stored at the CDS, whereby the CDS keeps trying to call the called party in order to retrieve the stored voice message to be sent to the called party when a ring signal and pickup occurs. This has nothing at all to do with a recipient of a voice mail storing a voice message from a sender of a voice mail, to thereby allow the recipient of the voice mail to respond to that voice mail.

Furthermore, as clearly described in column 16, lines 33-34 of Brown, the voice message is stored in the CDS according to the billing code of the caller, and it is not stored based on a phone number of a sender's telephone set. This is especially the case since the sender may be calling the CDS from a phone booth which corresponds to a temporary phone number of the sender.

In the present invention, however, the sender's phone number is attached to the digitized voice, and the sender's phone number is identified and used to store the digitized voice at a memory location corresponding to the sender's phone number. In Brown, on the other hand, only billing codes of a sender are used to store voice messages, and thus it operates in a much different way than the present invention.

Accordingly, since none of the other cited art of record makes up for these deficiencies of Brown, all of the presently pending claims are patentable.

Therefore, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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Date

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